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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

11 SEAN MCCLINTOCK , et al.

Case No. 8:25-cv-01381-MRA-ADS

12 Plaintiff(s),

**ORDER SETTING SCHEDULING  
CONFERENCE**

13 v.

14 CITY OF FOUNTAIN VALLEY, et al.

Date: September 29, 2025

15 Defendant(s).

Time: 1:30 p.m.

Courtroom: 9B

19  
20 **READ THIS ORDER CAREFULLY. IT CONTROLS THIS CASE  
AND DIFFERS IN SOME RESPECTS FROM THE LOCAL RULES.**

21 This case has been assigned to United States District Judge Mónica Ramírez  
22 Almadani. This matter is set for a Scheduling Conference on the above date in  
23 Courtroom 9B of the U.S. Courthouse, 411 W. Fourth Street, Santa Ana, CA 92701.  
24 Judge Ramírez Almadani's procedures web page is incorporated in this Order.  
25 The parties and counsel shall review and comply with those procedures and  
26 notices, which are available at  
27  
28 <http://www.cacd.uscourts.gov/honorable-monica-ramirez-almadani>.

1      **A. PRELIMINARY MATTERS**

2           **1. Service of Pleadings.** If plaintiff has not already served the operative  
3 complaint on all defendants, plaintiff shall do so promptly and shall file proofs of  
4 service of the summons and complaint within three (3) days thereafter. *See* Fed. R.  
5 Civ. P. 4. Defendants also shall timely serve and file their responsive pleadings (if  
6 not previously done) and comply the requirements of Local Rule 5-3.2. The  
7 Court will not consider motions or stipulations to continue deadlines to respond  
8 to the complaint without the required proofs of service. At the Scheduling  
9 Conference, the court will set a date by which motions to amend the pleadings  
10 or add parties must be heard.

11          **2. Order Applies to *Pro Se* Litigants.** “Counsel,” as used in this Order,  
12 includes parties who have elected to appear without counsel and are representing  
13 themselves in this litigation (hereinafter referred to as “*Pro Se* Litigants”). *Pro Se*  
14 Litigants must comply with this Order, the Federal Rules of Civil Procedure, and  
15 the Local Rules. *See* L.R. 1-3, 83-2.2.3. *Pro Se* Litigants are required to  
16 participate in the scheduling conference.

17          **3. Notice to be Provided by Counsel.** Plaintiff’s counsel or, if plaintiff is a  
18 *Pro Se* Litigant, defendant’s counsel, shall provide this Order to all known parties  
19 who have not yet appeared or who appear after the date of this Order. This and  
20 all other applicable orders in this case are available at the bottom of Judge Ramírez  
21 Almadani’s webpage (<http://www.cacd.uscourts.gov/honorable-mónica-ramírez-almadani>). The Local Rules are available on the Central District of  
22 California website <https://www.cacd.uscourts.gov/court-procedures/local-rules>).

23          **4. Compliance with Fed. R. Civ. P. 26.** The scheduling conference will  
24 be held pursuant to Fed. R. Civ. P. Rule 16(b). The parties are reminded of their  
25 obligations to (i) make initial disclosures “without awaiting a discovery request”  
26 (Fed. R. Civ. P. 26(a)(1)) and (ii) confer on a discovery plan at least twenty-one  
27 (21) days before the scheduling conference (Fed. R. Civ. P. 26(f)). The Court

1 encourages Counsel to agree to begin to conduct discovery actively before the  
2 Scheduling Conference. At the very least, the parties shall comply fully with the  
3 letter and spirit of Fed. R. Civ. P. 26(a) and thereby obtain and produce most of  
4 what would be produced in the early stage of discovery. At the scheduling  
5 conference the Court will impose strict deadlines to complete discovery.

6 **5. Participation in the Scheduling Conference. The Scheduling**  
7 **Conference shall be held via Zoom, unless otherwise ordered by the Court.**  
8 Any request for remote appearance will be automatically denied as moot pursuant  
9 to this Order. Instructions for joining by Zoom are available on the Court's  
10 procedures page. **Importantly, lead trial counsel and any unrepresented parties**  
11 **must attend the scheduling conference, unless excused by the Court for good**  
12 **cause prior to the conference.**

13 **6. Continuance.** A request to continue the scheduling conference will be  
14 granted only for good cause. The parties should plan to file the Joint Rule 26(f)  
15 Report on the original due date even if a continuance is granted. The Court will not  
16 continue the scheduling conference to allow the parties to explore settlement.

17 **7. Vacating the Conference.** The Court may vacate the scheduling  
18 conference and issue a case management order based on the Joint Rule 26(f)  
19 Report.

20 **B. PARTIES MUST PREPARE AND FILE A JOINT RULE 26(f) REPORT**

21 The Joint Rule 26(f) Report must be filed not later than fourteen (14) days  
22 before the scheduling conference. The Report shall be drafted by plaintiff (unless  
23 plaintiff is a *Pro Se* Litigant or the parties agree otherwise) but shall be submitted  
24 and signed jointly. "Jointly" means a single report, regardless of how many  
25 separately-represented parties exist in the case. The Joint Rule 26(f) Report  
26 shall specify the date of the Mandatory Scheduling Conference on the caption  
27 page. Under the title, it shall list the dates of the (1) Original Complaint;  
28 (2) Removal (if removed); (3) Responsive Pleading; (4) and Final Pretrial

1 Conference (Proposed). The Joint Rule 26(f) Report shall report all the following  
2 information, which include those required to be discussed by Rule 26(f) and Local  
3 Rule 26, and use numbered section headings and lettered sub-headings that  
4 correspond to those below:

5       **1. Statement of the Case.** A short synopsis (not to exceed two (2) pages)  
6 of the main claims, counterclaims, affirmative defenses, and procedural history.

7       **2. Subject Matter Jurisdiction.** A statement of the specific basis of  
8 federal jurisdiction, including supplemental jurisdiction. For federal question  
9 jurisdiction, cite the federal law under which the claim arises. For diversity  
10 jurisdiction, state each party's citizenship and the amount in controversy.

11       **3. Legal Issues.** A brief description of all key legal issues, including any  
12 significant procedural, substantive, or evidentiary motions.

13       **4. Parties, Evidence, etc.** A list of parties, percipient witnesses, and key  
14 documents on the main issues in the case. For conflict purposes, corporate parties  
15 must identify all subsidiaries, parents, and affiliates.

16       **5. Damages.** The realistic range of provable damages.

17       **6. Insurance.** Whether insurance coverage exists, the extent of coverage,  
18 and whether there is or will be a reservation of rights.

19       **7. Motions.**

20           **(a) Procedural Motions.** A statement of the likelihood of motions  
21 seeking to add other parties or claims, file amended pleadings, transfer venue, or  
22 challenge the court's jurisdiction.

23           **(b) Dispositive Motions.** A description of the issues or claims that  
24 any party believes may be determined by motion to dismiss or motion for summary  
25 judgment. The parties should refer to the Court's web page  
26 (<http://www.cacd.uscourts.gov/honorable-mónica-ramírez-almadani>) for specific  
27 guidelines governing summary judgment motions.

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14       **8. Manual for Complex Litigation.** A statement regarding whether all or  
15 part of the procedures of the Manual for Complex Litigation should be utilized.

16 | 9. Discovery.

17                   **(a) Status of Discovery.** A discussion of the present state of  
18 discovery, including a summary of pending and completed discovery, and any  
19 current or anticipated disputes.

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(c) **Discovery Cut-off.** A proposed discovery cut-off date governing the completion of all fact discovery, including resolution of all discovery motions.

**(d) Expert Discovery.** Proposed dates for expert witness disclosures (initial and rebuttal) and expert discovery cut-off under Rule 26(a)(2).

(e) Settlement Conference/Alternative Dispute Resolution (ADR).

A statement of what settlement negotiations have occurred, excluding any statement of the terms discussed. If a Notice to Parties of Court-Directed ADR Program (Form ADR08) was filed in this case, the court will refer the matter for ADR. The parties must state their preference in the Joint Rule 26(f) Report for: (i) the Magistrate Judge, (ii) the Court Mediation Panel, or (iii) a private mediator (at the parties' expense). The Court will exercise its discretion to select an ADR option for the parties if they fail to state a preference. No case will proceed to trial unless all parties, including an officer of all corporate parties (with full authority to settle the case), have appeared personally and participated in an ADR proceeding.

**(f) Trial.**

**i. Trial Estimate.** Provide a realistic estimate, in days, of the court time required for trial and whether trial will be by jury or by court. Each side should specify (by number, not by name) how many witnesses it contemplates calling. If the time estimate for trial given in the Joint Rule 26(f) Report exceeds four (4) court days, counsel shall be prepared to discuss in detail the basis for the estimate.

**ii. Jury or Court Trial.** Specify whether trial will be by jury or by court. The default will be a court trial if the parties fail to specify.

**iii. Consent to Trial Before a Magistrate Judge.** Whether the parties agree to try the case (either by jury or court trial) before a magistrate judge. *See* 28 U.S.C. § 636 (requiring party consent). The parties are strongly encouraged to consider consenting to trial before a Magistrate Judge. One benefit to giving

1 such consent is that the parties almost always will be able to proceed to trial sooner  
2 than on a District Court Judge's calendar. Additionally, the parties are free to select  
3 from among all Magistrate Judges available for this purpose, not just the Magistrate  
4 Judge assigned to the parties' case. The Magistrate Judges have experience and  
5 expertise in a variety of areas, including patent and trademark litigation. If the  
6 parties consent to trial before a Magistrate Judge, the parties may choose any  
7 Magistrate Judge identified on the Central District website and submit the  
8 appropriate consent form.

9                   **iv. Lead Trial Counsel.** List the name of the attorney who will  
10 serve as lead trial counsel, as well as other attorneys who will participate in the  
11 trial. Only one attorney for a party may be designated as lead trial counsel unless  
12 otherwise permitted by the Court. If a second lead trial counsel is permitted by the  
13 Court, both counsel must attend the Pretrial Conference.

14                   **(g) Independent Expert or Master.** State whether this is a case in  
15 which the Court should consider appointing a master pursuant to Fed. R. Civ. P. 53  
16 or an independent scientific expert. The appointment of a master may be especially  
17 appropriate if there are likely to be substantial discovery disputes, numerous claims  
18 to be construed in connection with a summary judgment motion, a lengthy *Daubert*  
19 hearing, a resolution of a difficult computation of damages, etc.

20                   **(h) Other Issues.** A statement of any other issues affecting case  
21 management, including unusually complex technical issues, related litigations,  
22 disputes over protective orders, extraordinarily voluminous document production,  
23 non-English speaking witnesses, reasonable ADA accommodations, discovery in  
24 foreign jurisdictions, the applicability of foreign law, the advanced age or health of  
25 parties or key witnesses, and any proposals concerning severance, bifurcation, or  
26 other ordering of proof.

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1      **C. PARTIES MUST PREPARE AND FILE SCHEDULE OF PRETRIAL**

2      **AND TRIAL DATES WORKSHEET**

3      Complete the text-fillable Schedule of Pretrial and Trial Dates Worksheet  
4      (“Worksheet”), *see* Appendix A, which is available at the bottom of Judge  
5      Ramírez Almadani’s webpage. In addition to filing the Schedule of Pretrial and  
6      Trial Dates Worksheet along with the Joint Rule 26(f) Report, **Counsel must**  
7      **email the text-fillable Worksheet to Chambers** at  
8      MRA\_Chambers@cacd.uscourts.gov along with the Joint Rule 26(f) Report. The  
9      Court will then issue an order setting the schedule governing the case. The parties  
10     must make every effort to agree on all pretrial dates.

11     In civil cases, the Court sets a trial date at the Final Pretrial Conference at  
12    which the Court expects the parties to be ready to proceed to trial. The parties shall  
13    confer before the Final Pretrial Conference to identify mutually agreeable trial  
14    date(s) within the 90 days following the Final Pretrial Conference. The trial date  
15    shall be set at the earliest date permitted by the Court's calendar. The Court  
16    will not consider motions or stipulations to continue the Final Pretrial Conference  
17    absent a showing of good cause. The parties shall be diligent in preparing their case  
18    for trial and not expect such motions to be granted.

19     **1. Weeks Before FPTC.** The “Weeks Before FPTC” column reflects what  
20    the Court believes is appropriate for most cases and will allow the Court to rule on  
21    potentially dispositive motions sufficiently in advance of the Final Pretrial  
22    Conference. However, counsel may ask for earlier last dates by which the key  
23    requirements must be completed. Each date should be stated as month, day, and  
24    year, e.g., 10/17/2025.

25     **2. Hearings.** Hearings shall be on Mondays at 1:30 p.m. The Final  
26    Pretrial Conference shall be at 3:00 p.m. Other deadlines (those not involving the  
27    Court) can be any day of the week. Counsel must avoid holidays. The Court may  
28    order different dates than those requested. Believing that young lawyers need more

1 opportunities for appearances than they usually receive, the Court encourages lead  
2 trial counsel to permit junior counsel, of five or fewer years out of law school, to  
3 fully participate in Court proceedings, including arguing motions and examining  
4 witnesses.

5       **3. Discovery Cut-Off Date.** The discovery cut-off date is the last date by  
6 which all depositions must be completed, responses to previously served written  
7 discovery must be provided, and motions concerning discovery disputes must be  
8 heard.

9       **4. Motions Cut-Off.** The cut-off date for motions is the last date on which  
10 motions may be heard, not filed.

11       **5. Additional Dates.** If the parties wish the Court to set dates in addition to  
12 those on the Worksheet, they may so request by a separate Stipulation and  
13 Proposed Order. This is often appropriate for class actions, patent cases, and  
14 ERISA cases. For ERISA Cases Involving Benefits Claims, the parties may receive  
15 a scheduling conference order as a matter of course. Because the ordinary pretrial  
16 and trial schedule does not apply to these ERISA cases, the parties need only  
17 submit a joint status report identifying any special issues that should be considered.  
18 The parties should proceed with the preparation of the administrative record and  
19 briefing without delay upon service of the complaint. A court trial, ordinarily  
20 limited to oral argument on the administrative record, will be scheduled within  
21 six months from the filing of the original complaint, unless good cause for  
22 additional time is shown in the status report. If the Court concludes that the  
23 decision would not benefit from oral argument, the matter may be submitted for  
24 decision on the papers.

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1      **D. COUNSEL MUST DELIVER ORDER TO CLIENTS.**

2            Counsel are ordered to deliver to their clients a copy of this Order, which  
3            will contain the schedule that the Court sets at the scheduling conference. This  
4            and all other generally applicable orders of this court are available on the Central  
5            District of California website, [www.cacd.uscourts.gov](http://www.cacd.uscourts.gov).

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7            **IT IS SO ORDERED.**

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10          Dated: August 4, 2025

*Monica R. Almada*  
HON. MONICA RAMIREZ ALMADANI  
UNITED STATES DISTRICT JUDGE

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## APPENDIX A

JUDGE MÓNICA RAMÍREZ ALMADANI  
SCHEDULE OF PRETRIAL DATES WORKSHEET

Please complete this worksheet jointly and file it with your Joint Rule 26(f) Report.  
**The Court ORDERS the parties to make every effort to agree on dates.**

Case No.	Case Name:	Parties' Joint Date mm/dd/yyyy	Court Order
Final Pretrial Conference Dates		Weeks Before FPTC <sup>2</sup>	Parties' Joint Date mm/dd/yyyy
Check one: <input type="checkbox"/> Jury Trial or <input type="checkbox"/> Court Trial <i>[The Court sets the trial date at the Final Pretrial Conference]</i> Estimated Duration, in days: _____		NA	NA
Final Pretrial Conference ("FPTC") [L.R. 16] <i>[Monday at 3:00 p.m., within 12 months of Scheduling Conference]</i>			
Event <sup>1</sup>	Weeks Before FPTC <sup>2</sup>	Parties' Joint Date mm/dd/yyyy	Court Order
<b>Note:</b> Hearings must be on Mondays at 1:30 p.m. Other dates can be any day of the week			
Opposition to Motions in Limine Filing Deadline	3		
Motions in Limine Filing Deadline	4		
Settlement Conference Completion Date [L.R. 16-15] <b>Select one:</b> <input type="checkbox"/> Mag. Judge <input type="checkbox"/> Panel <input type="checkbox"/> Private	5		
Last Date to <b>HEAR</b> Daubert Motions <i>[Monday]</i>	8		
Last Date to <b>HEAR</b> Non-Discovery Motions <i>[Monday]</i> (see Procedures page for Rule 56 Motion deadlines)	12		
Expert Discovery Cut-Off	14		
Expert Disclosure (Rebuttal)	17		
Expert Disclosure (Initial)	21		
Non-Expert Discovery Cut-Off (no later than deadline for <i>filing</i> dispositive motions)	24		
Last Date to <b>Hear</b> Motions to Amend Pleadings/Add Parties <i>[Monday 90 days after Rule 16 Scheduling Conference]</i>	X		

<sup>1</sup> Once issued, this "schedule may be modified only for good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4).

<sup>2</sup> This is the Court's recommended default timeline for certain events. The parties may propose alternate dates based on the needs of each individual case.